



Preventing Childhood Lead Poisoning in Rental Properties and Child Care Facilities

Facts About the Lead Law

In 1996, the Vermont Legislature passed Act 165, Vermont's lead law, an act to prevent childhood lead poisoning in older rental housing and child care facilities. The law requires that landlords of older buildings and day care facility owners take steps to help prevent children from being exposed to lead.

Lead poisoning is the number one environmental disease affecting young children today, and it is preventable. Too much lead in a child's body is associated with learning disabilities, behavioral problems, decreased intelligence, and other health problems.

Lead paint and dust from lead paint are the major sources of lead poisoning in children. In 1978, lead was banned in house paint. However, most homes built before that time are likely to contain lead. Children can also be exposed to lead during renovation projects or whenever lead paint is improperly sanded or scraped.

The law represents two years of work by the Vermont Lead Paint Hazard Commission. This commission included members from health, housing, historic preservation, banking and insurance; as well as landlords, legislators, parents, tenants, advocates and contractors. Their goal was to develop low cost, "do-it-yourself," prevention-oriented recommendations that would allow property owners to reduce health risks related to lead paint.

What are the benefits of the law?

- The law protects children from lead poisoning. In 2003, almost 4.8 percent of 6,800 children under age 6 who were tested had elevated levels of lead in their blood. Of the severely lead poisoned children, 50 percent lived in rental housing.
- The law protects property owners. Property owners in compliance with the law receive increased liability protection.
- The law allows easier access to insurance. Property owners who do not take steps to protect children from lead hazards may have difficulty getting insurance.
- The law saves money. By reducing children's exposure to lead, property owners may avoid the high cost of lead abatement that could be required in the case of a severely poisoned child.

Who is affected by the law?

- Children are protected from being poisoned by lead in their child care facilities and older rental housing.
- Owners of rental properties and child care facilities built before 1978 must take steps to make their buildings safer for children.
- There are some exemptions from the law such as certain rental units with no bedrooms (studios and efficiency apartments) and elderly housing units.

What does the law require?

Owners of rental property and child care facilities built before 1978 and child care facility owners are required to take steps to reduce hazards and prevent children from being lead poisoned. Steps include:

- Inspecting the condition of paint on their properties and performing essential maintenance annually.
- Signing an affidavit stating that essential maintenance has been carried out and filing it with their insurance carrier and the Vermont Department of Health.
- Providing occupants with a pamphlet about lead poisoning prevention.
- Posting a notice asking people to report chipping or damaged paint.
- Attending a training program approved by the Health Department.
- Making sure that anyone who performs essential maintenance work on the property has completed the training program and does the work correctly.
- Installing window well inserts in all windows.
- It is assumed that, once knowledgeable about the law, people will voluntarily comply. The Health Department will make every effort to help people understand their responsibilities under this law and will seek voluntary compliance.

What is NOT required by the law?

Rental property owners and child care owners are NOT required to:

- Hire a lead inspector to determine if their building has lead paint.
- Hire a lead abatement contractor to do essential maintenance work.
- Remove all lead paint (a costly procedure).
- Repaint entire units or buildings.
- Become certified lead inspectors.

Why require people to take a course?

The Essential Maintenance course makes it easier for landlords and child care facility owners to:

- Learn the causes of lead poisoning and how to protect children.
- Learn how to perform essential maintenance practices. (This is important because improperly performed essential maintenance practices could actually increase a child's risk of lead poisoning.)

What are Essential Maintenance Practices?

Essential Maintenance Practices include simple actions like:

- Checking the condition of painted surfaces.
- Identifying areas where paint is in poor condition.
- Installing low-cost liners in window wells for easier cleaning.
- Taking precautions during remodeling to prevent spread of lead dust.
- Performing a periodic specialized cleaning.

What else is being done in Vermont to prevent lead poisoning in children?

The Vermont Legislature passed a comprehensive lead poisoning prevention law in 1993 that requires public education, childhood lead screening guidelines, contractor licensing, and environmental follow-up on all severely lead poisoned children.

- Parent education. Written materials and educators are available to teach parents what they can do to prevent their children from being poisoned. Also, people are encouraged to call the Vermont Department of Health toll-free lead hot line (800-439-8550) with any questions or concerns about lead exposure.
- Financial assistance. The VT Housing and Conservation Board offers a lead paint hazard reduction financial assistance program for eligible property owners.

About the training course.

The course is four hours long and is taught by private contractors who receive training from the Vermont Department of Health. It is available free statewide.

Who can provide further assistance?

For general information about applicable state and federal laws, educational materials about lead poisoning, or a list of state-approved classes:

- Vermont Dept. of Health 800-439-8550 or 802-652-0358
www.HealthyVermonters.info

For educational presentations about childhood lead poisoning prevention or HEPA vacuum rentals:

- Vermont Lead Safety Project 802-453-5617

For support and information for rental property owners:

- Apartment Owners, Inc. 888-LOW-RENT
www.vermontapartmentowners.org

For support and information for tenants:

- Vermont Tenants, Inc. 802-864-0099
www.cvoeo.org/vti/vtiindex.htm

For general information for child care facility owners:

- Vermont Dept. of Social & Rehabilitation Services 802-241-2158

For assistance for landlords and homeowners in reducing the dangers of lead poisoning caused by lead-based paint:

- Vermont Housing and Conservation Board 800-290-0527
or 802-828-5064
www.leadsafevermont.org